

S.B.Criminal Misc. Petition No. 1013/2004
(Ramesh Vs. The State of Rajasthan and Ors.)

Date of order : 12.07.2006

HON'BLE MR.H.R.PANWAR,J.

Mr. D.K.Sharma for the petitioner.
Mr. Ashok Upadhyay, P.P.

Heard learned counsel.

By the instant criminal misc. petition under Section 482 Cr.P.C., the petitioner has challenged the order dated 26.2.2003 passed by Additional Sessions Judge No.2, Chittorgarh (for short 'the revisional court' hereinafter) in Criminal Revision No.46/2002, whereby the revisional court on a revision petition filed by the non-petitioners No.2 to 4 set aside the order dated 16.8.2002 passed by Additional Chief Judicial Magistrate, Kapasan (for short 'the trial court' hereinafter) and remanded the matter to decide it afresh in accordance with law.

I have carefully gone through the order passed by the revisional court as well as by the trial court.

In my view, the order remanding the case to the trial court cannot be said to be suffering from any error, illegality or

perversity warranting interference by invoking the extra-ordinary jurisdiction under Section 482 Cr.P.C.

The criminal misc. petition is therefore, dismissed.
Stay petition also stands dismissed.

(H.R.PANWAR), J.

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